

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA
C.W.P. No: 291 of 2003

Judgment reserved on:19.6.2007

Date of decision: 19.7.2007

State of H.P. and others

Petitioners

Versus

Bansi Lal

Respondent

Coram

The Hon'ble Mr. Justice Deepak Gupta, J

The Hon'ble Mr. Justice V.K.Ahuja, J.

Whether approved for reporting?¹

Mr. M.S.Chandel, Advocate General, with Mr. R.M.Bisht, Deputy Advocate General, for the petitioner.

None for the respondent.

Per Deepak Gupta, J.

This writ petition is being disposed of in light of the decision of date rendered in CWP No. 180 of 2001.

In this case the employee was engaged on daily wages on 1.1.1985. He was regularised w.e.f. 1.1.1995 and retired from government service on 30.11.1998. Even if the 50% of the service rendered by the workman, i.e. 5 years on daily wages is added, the total qualifying service comes to 8 years and 11 months only. The workman is, therefore, not entitled to pension. The order of the learned Tribunal directing that he be paid

¹ ***Whether the reporters of the local papers may be allowed to see the Judgment?***

pension is totally illegal and is accordingly set aside. The writ petition is allowed. No costs.

(Deepak Gupta), J.

July 19, 2007(K)

(V.K.Ahuja), J.